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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,869	3,869 12/24/2003		Masaya Katayama	Q79010	9349
23373	7590	09/19/2006		EXAMINER	
SUGHRUE			NGUYEN, JOHN QUOC		
2100 PENN SUITE 800	SYLVAN.	IA AVENUE, N.W.	ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20037				3654	
		•		DATE MAILED: 09/19/2006	6

Please find below and/or attached an Office communication concerning this application or proceeding.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/743,869	KATAYAMA, MASAYA		
Examiner	Art Unit		
John Q. Nguyen	3654		

	John Q. Nguyen	3654					
The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress				
THE REPLY FILED 05 September 2006 FAILS TO PLACE THI	S APPLICATION IN CONDITION I	FOR ALLOWANCE.					
1.  The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amendment, af tice of Appeal (with appeal fee) in	fidavit, or other evider compliance with 37 Cl	ce, which FR 41.31; or (3)				
a) The period for reply expires 4 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN TH	ng date of the final rejecti	on.				
Extensions of time may be obtained under 37 CFR 1.136(a). The date nave been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The appropri ginally set in the final Offi	ate extension fee ce action; or (2) as				
The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed AMENDMENTS	nsion thereof (37 CFR 41.37(e)), to	o avoid dismissal of th					
The proposed amendment(s) filed after a final rejection,  (a) They raise new issues that would require further co  (b) They raise the issue of new matter (see NOTE belo	nsideration and/or search (see NC		ecause				
(c) They are not deemed to place the application in bet appeal; and/or			the issues for				
(d) They present additional claims without canceling a NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1	•	jected claims.					
4. The amendments are not in compliance with 37 CFR 1.15. Applicant's reply has overcome the following rejection(s)		ompliant Amendment	PTOL-324).				
<ol> <li>Newly proposed or amended claim(s) would be al non-allowable claim(s).</li> </ol>		, timely filed amendme	nt canceling the				
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is profite status of the claim(s) is (or will be) as follows:  Claim(s) allowed:		ill be entered and an e	explanation of				
Claim(s) objected to: <u>2-4 and 6</u> . Claim(s) rejected: <u>1,7 and 8</u> . Claim(s) withdrawn from consideration: <u>5</u> . AFFIDAVIT OR OTHER EVIDENCE							
<ol> <li>The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).</li> </ol>							
The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe y and was not earlier presented. S	eal and/or appellant fai See 37 CFR 41.33(d)(	ls to provide a l).				
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER							
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:    The request for reconsideration has been considered but does NOT place the application in condition for allowance because:   Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)							
13. Other:	(* 1 <i>0702700)</i> 1 apor 110(0).						
	Q. Nyny	John Q. Nguyen Primary Examiner Art Unit: 3654					

U.S. Patent and Trademark Office PTOL-303 (Rev. 08-06) Continuation of 3. NOTE: The proposed changes to claim 1 raise new issues that would require further consideration and/or search.